

# Notice of Allowability

Application No.

10/611,764

Examiner

Timothy J Thompson

Applicant(s)

MIYAWAKI, MAKOTO

Art Unit

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_\_.
2. ☒ The allowed claim(s) is/are 1-9.
3. ☒ The drawings filed on 07/01/03 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☒ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- |   |   |
|---|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                  |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                     | 6 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. <u>12/2003</u> |
| 3 <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. <u>07/03</u> | 7 <input checked="" type="checkbox"/> Examiner's Amendment/Comment                          |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material                  | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance         |
|   | 9 <input type="checkbox"/> Other  |

## DETAILED ACTION

### *Examiner's Amendment*

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Torrente on 12/15/03.

The application has been amended as follows:

### ABSTRACT OF THE DISCLOSURE

A driving apparatus includes a rotatable rotor with a ring shape, a first magnetic pole portion, a second magnetic pole portion, and a coil for magnetically exciting the first magnetic pole portion and the second magnetic pole portion. The rotor has magnet portions which are divided along a circumferential direction and differently magnetized.

~~The first magnetic pole portion is formed extending in a direction perpendicular to the rotational axis of the rotor, and faces a face of the magnet portion perpendicular to the rotational axis. The second~~

~~magnetic pole portion sandwiches the magnet portion~~  
~~between the second magnetic pole portion and the~~  
~~first magnetic pole portion, and faces another face~~  
~~of the magnet portion perpendicular to the rotational~~  
~~axis.~~ The coil is disposed radially of the rotor.

The condition of  $-0.333X + 0.7 > Y$  is satisfied where Y is a ratio of a central angle of each first magnetic pole portion relative to a central angle of each magnetized pole in the magnet portion, and X is a ratio of an outer circumferential length of each magnetized pole in the magnet portion relative to a thickness of the magnet portion in a direction of the rotational axis.

***Allowable Subject Matter***

Claims 1-9 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art taken either singularity or in combination fails to anticipate or fairly suggest the limitations of the independent claim, in such a manner that a rejection under 35 U.S.C. 102 or 103 would be proper. The prior art fails to teach a combination of all the claimed features as presented in independent claim 1, with the allowable feature being the

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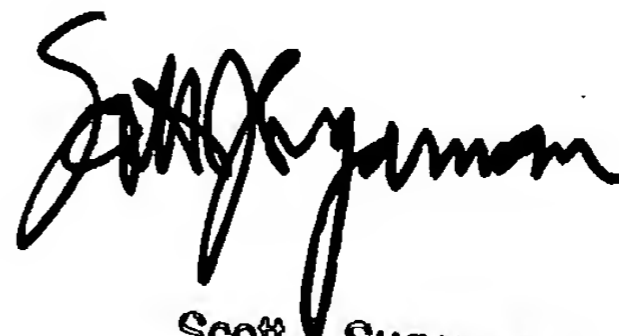
conditional relationship pertaining to the central angle of the first magnetic pole relative to a central angle of each magnetic pole in the magnetic portion and the outer circumferential length of each magnetized pole. Therefore claims 1-9 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Okuda et al. (U.S. Patent No. 4,899,145), Chen et al. (U.S. Patent No. 5,684,7861) and Japanesse Patent No. 7-107720 are pertinent to the application since they pertain to a magnetic rotor with magnetic poles perpendicular to the rotational axis.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy J. Thompson whose telephone number is (703) 305-0881. If the examiner can not be reached his supervisor, Georgia Epps, can be reached on (703) 308-4883.



Scott J. Sugarman  
Primary Examiner